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Attorneys for the United States

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)
)Case No. CV08-000493 SOM KSC
Plaintiff,)
)UNITED STATES' UNOPPOSED MOTION
v.)TO CONTINUE SETTLEMENT
)CONFERENCE AND DISPOSITIVE
MICHAEL WILLIAM FLAHERTY,)MOTION FILING DEADLINE;
MARGARET RONA LEE FLAHERTY,)CERTIFICATE OF SERVICE
BANK OF HAWAII, STATE OF HAWAII)
DEPARTMENT OF TAXATION)
)
Defendants.)
_____)

**UNITED STATES' UNOPPOSED MOTION TO CONTINUE SETTLEMENT
CONFERENCE AND DISPOSITIVE MOTION FILING DEADLINE**

The United States of America, through its undersigned
counsel, hereby respectfully requests the Court to extend certain
deadlines set forth in the Court's February 9, 2009 Rule 16

Scheduling Order including the dispositive motion filing deadline of September 23, 2009, and the settlement conference set for October 27, 2009. The United States respectfully requests the Court to continue the dispositive motion filing deadline to December 2, 2009 and the settlement conference to some date during the week of November 16-19, 2009 (except not the afternoons of November 18 or 19 as counsel for defendant Bank of Hawaii will not be available).

The requested extension is based on several reasons. First, it will allow the United States and Michael William Flaherty the opportunity to continue to discuss a possible resolution of the claim to reduce the tax assessments to judgment. Second, it will allow the United States to conserve resources by combining trips to Hawaii since counsel for the United States does not have any other business in Hawaii the week of October 27, 2009 but does have depositions planned in another matter for the week of November 16, 2009. Counsel for the United States tried to set the depositions in the other matter for the week of October 27, 2009 but the opposing counsel was not available. Finally, by holding the settlement conference before the dispositive motions filing deadline, the parties can save resources should the case settle either before or during the settlement conference.

Counsel for the United States has contacted Michael William Flaherty, Margaret Rona Lee Flaherty, counsel for the Bank of

Hawaii, and counsel for the State of Hawaii and there were no objections to this motion.

This unopposed motion is the first request to extend any of the case deadlines and is made in good faith and not for the purposes of delay.

DATED this 22nd day of September, 2009.

Respectfully submitted,

EDWARD H. KUBO, JR., Esq.
United States Attorney

/s/ Jeremy N. Hendon
JEREMY N. HENDON
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CERTIFICATE OF SERVICE

I hereby certify that, on the dates and by the methods of service noted below, a true and correct copy of the **UNITED STATES' UNOPPOSED MOTION TO CONTINUE SETTLEMENT CONFERENCE AND DISPOSITIVE MOTION FILING DEADLINE** was served on the following at their last known address:

Served by First Class Mail:

Michael William Flaherty
P.O. Box 1308
Kapaau, Hawaii 96755
September 22, 2009

Margaret Rona Lee Flaherty
P.O. Box 1308
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September 22, 2009

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/s/ Jeremy N. Hendon
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